

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

THE AFFILIATED CONSTRUCTION TRADES
FOUNDATION, a division of the
West Virginia State Building and
Construction Trades Council, AFL-CIO

Plaintiff

v.

Civil Action No.: 2:04-1344

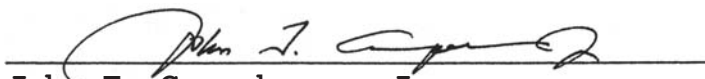
THE WEST VIRGINIA DEPARTMENT OF
TRANSPORTATION, Division of Highways;
THE UNITED STATES DEPARTMENT OF
TRANSPORTATION; THE WEST VIRGINIA
BOARD OF EDUCATION; THE MINGO
COUNTY REDEVELOPMENT AUTHORITY;
and NICEWONDER CONTRACTING, INC.

Defendants

MEMORANDUM OPINION AND ORDER

In view of the court's memorandum opinion and order entered this day with respect to all motions for summary judgment herein, it is ORDERED that plaintiff's motion for a new scheduling order, filed December 1, 2006, and plaintiff's renewed motion for a new scheduling order, filed August 28, 2007, be, and each hereby is, denied as moot.

DATED: September 5, 2007


John T. Copenhaver, Jr.
United States District Judge